

## **REMARKS/ARGUMENTS**

### **Claim Amendments**

The Applicant has not amended or canceled any claims. Accordingly, claims 48-81 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the following remarks.

### **Claim Rejections – 35 U.S.C. § 102(e)**

Claims 48-50, 52-56, 58-62, 64-67 and 69-73 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Tso et al. (US Patent No. 6,421,733) referred to hereafter as Tso. The Applicant noticed that claims 75-81 were also rejected, as seen on pages 8-10. The Applicant respectfully traverses the rejection of claims 48-50, 52-56, 58-62, 64-67, 69-73 and claims 75-81.

The Applicant reviewed and summarized the Applicant's invention in previous responses, which discloses a method for processing a media stream that may take place between entities in a communications system. The Applicant respectfully directs the Examiner's attention to claim 48.

48. (Previously Presented) A method of processing a media stream in a communications system that includes an Internet Protocol (IP) network, the method comprising the steps of:

configuring a service for providing the media stream to a first entity, by sending a service request to a gateway controller having a known Uniform Resource Identifier (URI) the service request including information relevant to the first entity;

initiating the media stream for a session between the first entity and a second entity, with the first entity receiving, and the second entity sending the media stream via a data path that includes a gateway coupled to the IP network, the gateway being managed by the gateway controller;

negotiating a format for the media stream, wherein the media stream with a format unacceptable to the first entity is converted to an acceptable format by the gateway prior to forwarding the media stream to the first entity;

invoking the gateway controller, via a second path that is separate from the data path carrying the media stream, to cause the gateway to process the media stream received from the second entity;

processing the media stream according to the negotiated formats;  
and

sending the processed media stream on to the first entity.  
(emphasis added)

The Applicant respectfully asserts that Tso neither teaches nor suggests the emphasized limitations of claim 48.

The Tso reference is cited for teaching methods, systems and computer program products for customizing content on at least one operating characteristic of a mobile device (abstract). The Applicant does not claim a computer program product. The Applicant has reviewed the abstract of the Tso reference and there is no mention of a mobile device. The Abstract describes a system to dynamically transcode data transmitted between computers. Further, the specification describes transcoding information between a network server computer and a network client utilizing threading.

The Applicant respectfully asserts that the Tso reference does not mention or allude to the terms of art "gateway" and "gateway controller", found in claim 48. At most, Tso refers to a media stream; but the media stream in Tso is associated with a hypertext object wherein a parser selects a transcode service provider. The selected transcode service provider uses a thread separate from a "current" thread to read an incoming data stream. The current thread works with the separate thread to improve efficiency by not waiting for a hypertext object to be received before beginning to send the object to the network client (col. 6, lines 33-55). The point of the Tso reference is to use multiple-thread processing to improve efficiency.

Though "multiple thread processing" is not very well defined in the Tso reference, the Applicant applies a description/definition known in the art. Multiple threading is different from traditional multi-tasking system processes, in that multiple threads share state information of a single process and share memory and other resources. "Multi-threading is a popular programming and execution model that allows multiple threads to exist within the context of a single process, sharing the process' resources but able to execute independently. If multiple threads can exist within a process, then they share the same memory and file resources. (Wikipedia.org/thread) The sharing ability of multiple threading is what Tso is using as a basis of his invention.

In the Official Action, a correspondence is drawn between the limitations of claim 48 and the description of a network client requesting a hypertext object in the Tso referenced found on column 6, lines 24-60. However, Applicant has reviewed this cited portion of Tso and finds no reference to the limitations in claim 48, that is the limitations of: sending a media stream via a data path that includes a gateway being managed by a gateway controller; negotiating a format for the media stream and a receiving (first) entity invoking the gateway controller via a second path that is separate from the data path carrying the media stream. This being the case, the Applicant respectfully requests the withdrawal of the rejection of claim 48.

The limitations, as emphasized in claim 48, are lacking in the Tso reference and claim 48 is thus distinguishable from Tso. Analogous limitations are recited in claims 60 and 71. Thus, claims 48, 60 and 71 and all claims dependent therefrom are distinguishable from the Tso reference and a withdrawal of the rejection of these claims is respectfully requested.

#### **Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 51, 57, 63, 68 and 74 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tso in view of Galensky et al (US Patent No. 6,845,398). The Applicant respectfully traverses the rejection of these claims.

The Galensky reference was cited for teaching a wireless device system and method for receiving and playing multimedia files from a multimedia server using the GSM system. It is respectfully submitted that the Galensky reference does not address the above-identified deficiencies of Tso with respect to the Applicant's invention. This being the case, the Applicant respectfully requests the withdrawal of the rejection of claims 51, 57, 63, 68 and 74.

### CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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